



Comptroller General  
of the United States

Washington, D.C. 20548

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## Decision

**Matter of:** Patricia A. Gupta  
**File:** B-253701  
**Date:** September 22, 1993

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### DIGEST

Agencies have broad discretion whether and under what conditions to allow employees to call their homes at government expense while on official travel. Therefore, where an agency exercises its discretion to allow reimbursement to an employee traveling overseas for calls she made to her home but denied reimbursement for calls her husband made from their home to her, the agency's action is sustained.

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### DECISION

The Chief of the Accounting Division, Food and Drug Administration, Department of Health and Human Services (HHS), requests an advance decision on Ms. Patricia A. Gupta's request for reconsideration of the agency's denial of her claim for reimbursement for telephone calls she received from her home while Ms. Gupta was on official travel overseas. We sustain the agency's action.

### BACKGROUND

The HHS Travel Manual provides that an employee traveling on government business to a foreign country longer than two days may be authorized to make a phone call to his or her residence subject to the guidelines prescribed in the policy statement. For example, these calls must be approved before the travel, and authorization for them must be on the travel order. Reimbursement is limited to \$15 a week for no more than five calls. See Chapter 4-20 of the HHS Travel Manual. This authority, on its face, applies to calls placed by the employee.

During her overseas travel, Ms. Gupta made several calls to her husband in the United States for which she was reimbursed by the agency. She also indicates that, because at times she had problems with the foreign telephone systems making such calls, her husband called her several times from the United States. Ms. Gupta also states that an agency official explained in a training session for employees

participating in the agency's international program that it is less expensive to originate overseas calls from the United States and that, therefore, employees should have their spouses call them from their homes. However, the agency denied her claim for reimbursement for the calls her husband made to her, stating that agency regulations authorizing reimbursement cover only calls made by the employee to her residence, not calls made by her husband to her. She seeks review of this denial.

#### OPINION

No statute or regulation entitles employees to reimbursement for personal calls to their homes, or elsewhere, while on temporary duty travel. The Federal Information Resources Management Regulations (FIRMR) issued by the General Services Administration,<sup>1</sup> covering use of telephone systems and facilities provided, paid for, or reimbursed by the government, provide that calls made on government telephone systems or charged to the government on commercial systems are to be made to conduct official business only. 41 C.F.R. § 201-21.601(c) (1993).<sup>2</sup>

The regulations also provide, however, that agencies may determine that some personal calls are "necessary in the interest of the government." See 41 C.F.R. § 201-21.601(d), and FIRMR Bulletin C-13. These include a brief call home for an employee traveling on government business in the United States, but not more than an average of one call per day, and similar guidance an agency may wish to implement for employees required to travel outside the United States.<sup>3</sup>

The HHS policy prescribed in its Travel Manual, authorizing an employee traveling overseas to make telephone calls, of a limited number and cost, to his or her residence at government expense, is within the scope of discretion contemplated by the FIRMR regulations and the guidelines described above. However, the FIRMR and the HHS Travel Manual provide authorization for calls made by the employee. They provide no authorization for reimbursement for calls made by an

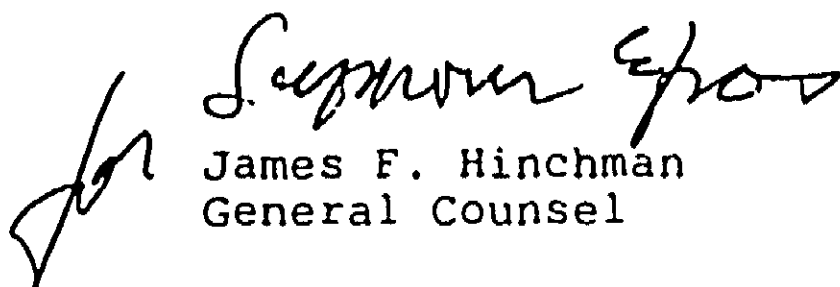
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<sup>1</sup>See 40 U.S.C. §§ 486(c) and 751(f) (1988), authorizing the issuance of such regulations.

<sup>2</sup>See also, 31 U.S.C. § 1348(b) (1988).

<sup>3</sup>See also, Federal Travel Regulations, 41 C.F.R. § 301-6.4(c) (1993).

employee's spouse to the employee traveling overseas.<sup>4</sup> Therefore, while it is unfortunate that Ms. Gupta may have received some misleading information in the agency training session, we see no basis for us to reverse the agency's denial of Ms. Gupta's claim for reimbursement or such calls in this case. Accordingly, the agency's denial is sustained.

  
James F. Hinchman  
General Counsel

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<sup>4</sup>We note that 31 U.S.C. § 1348(a)(1) generally prohibits use of appropriated funds to pay for tolls or other charges for telephone service from private residences.